

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
Newark Area Office  
One Newark Center, 21<sup>st</sup> Floor  
Newark, N.J. 07102  
By: Jeffrey Burstein, Trial Attorney  
Tel: 973-645-2267  
Fax: 973-645-4524  
[jeffrey.burstein@eeoc.gov](mailto:jeffrey.burstein@eeoc.gov)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

-----X	
EQUAL EMPLOYMENT OPPORTUNITY	:
COMMISSION,	:
	:
Plaintiff,	:
	:
v.	:
	:
UNITED GALAXY, INC., d/b/a TRI-COUNTY	:
LEXUS	:
	:
Defendant.	:
-----X	

Civil Action No. 2:10-cv-04987 (JLL) (CCC)

**PLAINTIFF EEOC’S NOTICE OF MOTION TO STRIKE THREE  
OF DEFENDANT’S AFFIRMATIVE DEFENSES UNDER FED. R. CIV. P.12(f).**

**PLEASE TAKE NOTICE** that on February 7, 2011, Plaintiff Equal Employment Opportunity Commission (“EEOC”) will move under Federal Rule of Civil Procedure 12(f) to strike Defendant United Galaxy, d/b/a Tri-County Lexus’, Fifth, Sixth, and Seventh Affirmative Defenses which, as set forth in EEOC’s accompanying Memorandum of Law, have no basis in law. Therefore, EEOC will request that the Court grant the Motion to Strike these Affirmative Defenses under Fed. R. Civ. P. 12(f).

Accompanying this Motion are a Memorandum of Law and Certification of Service.

Dated: December 27, 2010

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

s/  
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Jeffrey Burstein